

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Application of

ALPINE PARTNERS (BVI) L.P.,

Petitioner, for an Order Pursuant to 28 U.S.C.
§ 1782 to Conduct Discovery for Use in a Foreign
Proceeding.

Case No. 23-mc-00173

~~PROPOSED~~ ORDER

This matter comes before the Court upon the Application for Judicial Assistance by Alpine Partners (BVI) L.P. (“Petitioner”) for leave to serve subpoenas upon Sumitovant Biopharma Ltd., Sumitovant Biopharma, Inc., Ms. Myrtle Potter, Mr. Matthew Gline, Goldman Sachs & Co. LLC, and J.P. Morgan Securities LLC (“Respondents”) pursuant to 28 U.S.C. § 1782 (the “Application”).

The Court, having considered the Application and the supporting Memorandum of Law, Declarations of Mark Chudleigh, Tyler Burtis, and Duane Loft (the “Loft Declaration”), and Exhibits thereto,

IT IS HEREBY ORDERED that:

1. Respondents shall file any opposition to the Application within 14 days of service of the Application;
2. Petitioner may file any reply in support of the Application within 7 days of Respondents’ opposition;
3. Absent a timely opposition filed by Respondents, the Application is granted, and Petitioner is authorized to take discovery from Respondents by issuing the subpoenas and seeking the production of documents and a deposition in the form attached to the Loft Declaration as Exhibit 1 through Exhibit 5;
4. Respondents shall produce the requested documents within 30 days of service of the subpoenas, or such other date as agreed between the parties, and in conformity with the

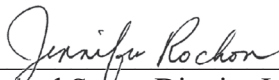
Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Southern District of New York;

5. Respondents shall appear for a deposition in compliance with the subpoenas on a mutually agreeable date within a reasonable time after Respondents confirm the final production of documents in response to the subpoenas;

6. Until further Order by this Court, Respondents shall preserve all documents, electronic or otherwise, and any evidence in their possession, custody, or control that contain information potentially relevant to the subject matter of the foreign proceeding at issue in the Application; and

7. The Court shall retain jurisdiction over this matter for the purpose of enforcing this Order and assessing any supplemental request for discovery assistance that may be requested by Petitioner.

DATED this 25th th day of May, 2023.



United States District Judge